



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AGENDA INDEX**

APRIL 22, 1999

**THURSDAY
9:30 AM**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Proof of Publication
- E. Swearing In
- F. Motion to Adopt Agenda
- G. Disclosure

2. POSTPONEMENTS AND WITHDRAWALS (Pages 2-4)

3. CONSENT AGENDA (Pages 5-10)

- " Staff
- " Board
- " Public

4. REGULAR AGENDA (Pages 11-12)

5. DIRECTOR COMMENTS (Page 12)

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7. ADJOURNMENT (Page 12)

AGENDA

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, APRIL 22, 1999

1. CALL TO ORDER.

- A. Roll Call - **9:30 AM**.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Board of County Commissioners has convened to consider the following applications for Future Land Use Map Amendments, Official Zoning Map Amendments, Conditional Uses, Planned Developments, Development Order Amendments, Waiver Requests, Status Reports for Compliance with Time Limitations and Conditions of Approval, and the recommendations of the Land Use Advisory Board and Zoning Commission pursuant to Chapter 163, Florida Statutes; Chapter 125, Florida Statutes; the Palm Beach County Comprehensive Plan; the Palm Beach County Unified Land Development Code; and other authority vested in the Board. This meeting is being held on April 22, 1999, at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication.
- E. Swearing In.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/CB98-069** Official Zoning Map Amendment (Z) and Class B Conditional Use (CB) petition of Luz and Bernardo Alzate, by Mariano Garcia, Agent. Request: Rezone from Residential Single Family (RS) to Residential Transitional (RT). Request: Wholesale nursery. General Location: Approx. 75 feet east of Congress Ave. on the south side of Palmarito Rd. (**ALZATE NURSERY**).

Page 1

Size: 1.12 Acres ±

BCC District: 2

MOTION: None required. (Petitioner requested postponement to May 27, 1999. By right postponement)

2. **PDD 77-021(E)** Official Zoning Map Amendment to a Planned Development District (PDD) petition of Royal Palm Polo, by Robert Bentz, Agent. Request: Rezone from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with a day care center, general; fitness center and arena/stadium (existing) (requested uses). General Location: NE corner Jog Rd. and Old Clint Moore Rd. (**ROYAL PALM POLO**).

Page 2

Size: 121.85 Acres ±

BCC District: 5

MOTION: None required. (Petitioner requested postponement to May 27, 1999. By right postponement)

3. **DOA 78-154(A)** Development Order Amendment (DOA) petition of Northlake Corp. Park Partnership, by Alan M. Strassler, Agent. Request: Add building square footage. General Location: SW corner Military Trail and Northlake Blvd. (**NORTHLAKE CORP. PARK**).

Page 3

Size: 7.3 Acres ± (Total area)

BCC District: 1

1.19 Acres ± (Affected area)

MOTION: To postpone until May 27, 1999. (Requested by petitioner.)

4. **DOA 77-141(A)** Development Order Amendment (DOA) petition of Chevron Products Company, by David J. Felton, Agent. Request: Convenience store with gas sales (requested use). General Location: NW corner of Camino Real and Powerline Rd. (**CHEVRON #47205**).

Page 4

Size: 1.03 Acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To postpone until May 27, 1999. (Requested by petitioner.)

5. **SR 95-21** Status Report for Resolutions R-96-129 and R-96-130 (Petition 95-21). Property owner: Bruce C. Pearson. Location: East side of Hagen Ranch Rd., approximately 1.5 mile south of Boynton Beach Blvd. Current zoning: RTS-Residential Transitional Suburban with Class A Conditional use for a retail/wholesale nursery.

Pages 5-8

Size: 7.3 acres

BCC District:5

Original Petitioner: Levitt Homes

MOTION: To postpone status report until June 29, 1999.

6. **ROAD CLOSURE (RELATED TO PDD98-089 (CHS PROPERTIES MUPD))**

MOTION: To postpone until May 18, 1999.

MOTION: To approve all postponements to dates indicated.

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. WARRANT LIST - Administrative matter not subject to public comment.

Warrant List
Page N/A

MOTION: To approve the warrant list.

C. PREVIOUSLY POSTPONED ZONING PETITION

7. **Z/CA**
98-063 Official Zoning Map Amendment (Z) and a Class A Conditional Use (CA) petitions of St. Nicholas Melkite Mission, by Kevin McGinley, Agent. Request: Rezone from Agricultural Residential (AR) to Residential Medium Density (RM). Requests: Church or place of worship; general daycare, and congregate living facility (CLF), Type 3. General Location: Approx. 0.25 mile east of El Clair Ranch Rd. on the north side of Sims Rd. (**ST. NICHOLAS MELKITE MISSION**).

Pages 9-26

Size: 4.55 Acres ± BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Medium Density (RM).

MOTION: To adopt a resolution approving the request for Class A Conditional Uses (CA) to allow a church or place of worship, general daycare, and Type 3 congregate living facility.

D. ZONING PETITIONS - CONSENT

8. **DOA**
80-103(I) Development Order Amendment (DOA) petition of Four Florida Shopping Centers Properties, by Thomas Yonge, Agent. Request: General repair and maintenance (requested use). General Location: Approx. 400 feet south of SR 7/US 441 and SW 14th St. (**SANDALFOOT PLAZA - GOODYEAR**).

Pages 27-51

Size: 0.67 Acres ± (affected) (35 total) BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as advertised, (7-0).

MOTION: To adopt a resolution approving the request for a Development

Order Amendment (DOA) to add general repair and maintenance use.

9. **DOA**
 80-120(D) Development Order Amendment (DOA) petition of Robert N. Lynch, Diocese of Palm Beach, by Kevin McGinley, Agent. Request: Add building square footage. General Location: Approx. 0.2 mile north of Woolbright Rd. on the west side of Military Trail (**ST. THOMAS MORE CHURCH**).

Pages 52-67

Size: 16.26 Acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as advertised, (7-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add building square footage.

10. **CA98-066** Class A Conditional Use (CA) petition of Lake Worth 7th Day Adventist Church, by Ron Uphoff, Agent. Request: Church or place of worship. General Location: NW corner of Kirk Rd. and Melaleuca Ln. (**LAKE WORTH 7TH DAY ADVENTIST CHURCH**)

Pages 68-81

Size: 3.18 Acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow a church or place of worship.

11. **PDD**
 98-078(A) Official Zoning Map Amendment to a Planned Development District (PDD) petition of Herbert and Karl Kahlert, by Kilday & Associates, Agent. Request: Rezone from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD). General Location: NW corner of Woolbright Rd. and Jog Rd. (**SHOPPES OF MADISON**).

Pages 82-107

Size: 23.84 Acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD).

12. **PDD99-005** Official Zoning Map Amendment to a Planned Development District (PDD) petition of Palm Beach County Health District, by Robert Basehart, Agent. Request: Rezone from Specialized Commercial (CS) to Multiple Use Planned Development (MUPD) with nursing or convalescent facility (requested use). General Location: Approx. 700 feet east of Congress Ave. on the north side of 10th Ave. North (**PBC NURSING HOME**).

Pages 108-126

Size: 13.64 Acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Specialized Commercial (CS) to Multiple Use Planned Development (MUPD) with a nursing or convalescent facility.

13. **Z/COZ
98-092** Official Zoning Map Amendment (Z) petition of ITWCD, by Kilday & Associates, Inc, Agent. Request: Rezone from Agricultural Residential (AR) to Public Ownership (PO) with a Conditional Overlay Zone (COZ). General Location: P5 - NE corner Sycamore Dr. and 180th Ave. North. P6 - NW corner Citrus Grove Blvd. and Avocado Blvd. (**ITWCD PARKS**).

Pages 127-148

Size: P5 - 4.64 and P6 - 5.12 Acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Public Ownership (PO) with a Conditional Overlay Zone (COZ).

E. STATUS REPORTS - CONSENT

14. **SR
79-161.4** Status Report for Resolution R-97-967 (Petition 79-161C). Property owner: New Pine Glen Ltd. Location: Southwest corner of Forest Hill Blvd. and Haverhill Rd. Current zoning: RM-Multiple Family Residential (Medium Density) with a Special Exception for a Planned Unit Development (Abbey Park PUD).

Pages 149-152

Size: 1.51 acres

(part of an unplatted 23.9 acre parcel)

BCC District:2

Original Petitioner: Coronet Development Corp.

MOTION: Direct Code Enforcement to cite property owner for failure to record a plat.

15. **SR 85-150.10** Status Report for Resolutions R-86-235 and R-86-236 (Petition 85-150). Property owner: John T. Christiansen, Tr., James D. Lassiter, and R.G. Tronzo. Location: Southwest corner of the intersection of Congress Ave. and Melaleuca Rd. Current zoning: CS-Specialized Commercial with a Special Exception to allow a Planned Office Business Park.

Pages 153-156

Size: 0.7 of an acre BCC District:3

Original Petitioner: John T. Christiansen and James D. Lassiter

MOTION: Approve a time extension until February 25, 2001, for Resolutions R-86-235 and R-86-236.

16. **SR 87-136.7** Status Report for Resolutions R-89-357 and R-89-358 (Petition 87-136). Property owner: Patricia Marshall. Location: North side of Lake Worth Rd. (S.R. 802) approximately 300 feet east of Davis Rd. Current zoning: CG-General Commercial with a Special Exception for a Planned Commercial Development.

Pages 157-159

Size: 1.0 acre BCC District:3

Original Petitioner: Patricia Marshall

MOTION: Approve a time extension until February 28, 2001, for Resolutions R-89-357 and R-89-358.

17. **SR 89-97.6** Status Report for Resolutions R-90-362 and R-90-363 (Petition 89-97). Property owner: William G. Lassiter Jr., TR. Location: West side of Military Trail, approximately 0.04 of a mile south of the intersection of Military Trail and Melaleuca Lane. Current zoning: CG-General Commercial with a Special Exception to permit a Planned Commercial Development.

Pages 160-163

Size: 2.6 acres BCC District:3

Original Petitioner: W. G. Lassiter, Jr.

MOTION: Approve a time extension until February 27, 2000, for Resolutions R-90-362 and R-90-363.

18. **SR 89-98.6** Status Report for Resolutions R-90-364 and R-90-365 (Petition 89-98). Property owner: W. G. Lassiter, Jr. TR. Location: West side of Military Trail, approximately 0.2 of a mile south of Melaleuca Lane. Current zoning: CG-General Commercial with a Special Exception to permit a Planned Commercial Development.

Pages 164-167

Size: 3.95 acres BCC District:3

Original Petitioner: Allan Gluckstern

MOTION: Approve a time extension until February 27, 2000, for Resolutions R-90-364 and R-90-365.

19. **SR 91-47** Status Report for Resolutions R-92-350 and R-92-351 (Petition 91-47). Property owner: Hagen Realty Holdings, Inc. and Boynton West Service Center, Inc. Location: Southeast corner of Hagen Ranch Rd. and Boynton Beach Blvd. Current zoning: CG-General Commercial with a Special Exception to allow a Planned Commercial Development, including an automobile service station (major repairs), convenience store, accessory car wash and permitted uses.

Pages 168-171

Size: 7.9 acres BCC District:2

Original Petitioner: Fred and Betty Thompson and the Estate of Ralph L. and Gertrude W. Wade

MOTION: Approve a time extension until March 13, 2001, for Resolutions R-92-350 and R-92-351.

20. **SR 92-41.3** Status Report for Resolution R-93-4 (Petition 92-41). Property owner: Palm Beach Plaza Ltd. Location: Jog Rd. extension, between Belvedere Rd. and Okeechobee Rd. Current zoning: General Commercial.

Pages 172-177

Size: 2.6 acres BCC District:2

Original Petitioner: Land Services Group, Inc.

MOTION: Revoke the concurrency for Resolution R-93-4, and exempt Resolution R-93-4 from further review pursuant to Section 5.8 of the Unified Land Development Code.

21. **SR 94-98.2** Status Report for Resolution R-95-1124 (Petition 94-98). Property owner: Francalby Corp., Inc. Location: Northeast corner of Hypoluxo Rd. and High Ridge Rd. Current zoning: Community Commercial.

Pages 178-180

Size: 2.7 acres BCC District:3

Original Petitioner: Francalby Corporation, Inc.

MOTION: Approve a time extension until February 24, 2000, for Resolution R-95-1124.

22. **SR 95-95** Status Report for Resolution R-96-253 (Petition 95-95). Property owner: S/R American Med-Care Centers. Location: East side of South Congress Ave., approximately 0.1 mile north of 10th Ave. North. Current zoning: General Commercial.

Pages 181-183

Size: 0.96 of an acre BCC District:3

Original Petitioner: American Med Care Centers P.A.

MOTION: Approve a time extension until February 22, 2001, for Resolution R-96-253.

23. **SR 95-96** Status Report for Resolution R-96-257 (Petition 95-96).
Property owner: Tidal Wave Inv. Corp, Inc. Location: East side
of Tall Pines Road approximately 0.2 mile north of Southern
Blvd./SR 80. Current zoning: Light Industrial.

Pages 184-186

Size: 1.0

BCC District:6

Original Petitioner: Title Wave Investment Corp., Inc.

MOTION: Approve a time extension until February 22, 2000, for
Resolution R-96-257.

F. CORRECTIVE RESOLUTIONS

24. **TDR98-56** Corrective Resolution: To correct findings of fact of Resolution
R-99-331.1. **(NYE PUD)**

Page 187

MOTION: To adopt a resolution to correct findings of fact of Resolution
R-99-331.1.

25. **DOA**
81-170(A) Corrective Resolution: To correct Condition A.1 of Exhibit C of
Resolution R-99-323. **(GROVE CENTER)**

Page 188

MOTION: To adopt a resolution to correct Condition A.1 of Exhibit C of
Resolution R-99-323.

26. **PDD**
98-023 Corrective Resolution: To correct Conditions C.6 and E.3.a of
Exhibit C of Resolution R-98-1810. **(PRATT & ORANGE**
MUPD)

Pages 189-190

MOTION: To adopt a resolution to correct Conditions C.6 and E.3.a of
Exhibit C of Resolution R-98-1810.

MOTION: To approve all items on the Consent Agenda (as amended) and
adopt resolutions affirming the applicable actions.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA:

A. ITEMS PULLED FROM CONSENT

B. TIME CERTAIN ITEMS

9:45 A.M.

27. **Z/COZ
98-058** Official Zoning Map Amendment (Z) petition of Hovsons, Inc., by John Grant, Jr. Inc., Agent. Request: Rezone from Agricultural Residential (AR) to Residential Transitional Suburban (RTS) with a Conditional Overlay Zone (COZ). General Location: Approx. 1 mile south of Hypoluxo Rd. on the east side of the Florida Turnpike. (**MELROSE EAST REZONING**).

Pages 191-216

Size: 12.73 Acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended (4-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transitional Suburban (RTS) with a Conditional Overlay Zone (COZ).

2:00 P.M.

28. **DOA
76-007(C)** Development Order Amendment (DOA) petition of Planet Fitness Inc., by Sara Lockhart, Agent. Request: Reconfigure master plan, add building square footage and modify conditions in R-98-2043. General Location: SE corner Okeechobee Blvd. and Golden Lakes Blvd. (**OKEECHOBEE BOULEVARD MUPD**).

Pages 217-253

Size: 17.39 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as advertised, (6-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to reconfigure the master plan, add building square footage and modify conditions of approval in R-98-2043.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

29. **PDD98-089** Official Zoning Map Amendment to a Planned Development District (PDD) petition of CHS Properties/ Henry W. Stevens, Jr. Trustee/ William Hubbard, Trustee/ Ranch House Properties/ Cook, Hubbard & Stevens Properties, by Kilday & Assoc., Agent. Request: Rezone from Community Commercial (CC), Residential High Density (RH) and Residential Single Family (RS) to Multiple Use Planned Development (MUPD) with a convenience store with gas sales and professional offices (requested uses). General Location: East side of Congress Ave. on the north and south sides of Ranch House Rd. (**CHS PROPERTIES MUPD**).

Pages 254-286

Size: 39.5 Acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Community Commercial (CC), Residential High Density (RH) and Residential Single Family (RS) to Multiple Use Planned Development (MUPD) with a convenience store with gas sales and professional offices.

5. DIRECTOR COMMENTS.

A. ZONING DIRECTOR

B. PLANNING DIRECTOR

6. COMMISSION COMMENTS.

7. ADJOURNMENT.